



07U-1653  
II  
8

Atty. Docket No. MAR37 P-314

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to BOX NON-FEE AMENDMENT, Assistant Commissioner for Patents, Washington D.C. 20231, on the date indicated below.

May 14, 2001  
Date

Deborah A. Witvoet  
Deborah A. Witvoet

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : David Lukton  
Art Unit : 1653  
Applicants : Lars E. Sundstrom et al.  
Appln. No. : 09/581,397  
Filing Date : October 2, 2000  
For : NEUROPROTECTIVE AGENTS

RECEIVED

MAY 24 2001

TECH CENTER 1600/2900

BOX NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

RESPONSE TO RESTRICTION REQUIREMENT

This communication is in response to the Office Action mailed April 17, 2001, and having a statutory period for response set to expire one month from the date of the Office Action (e.g., May 17, 2001).

In response to the restriction requirement, Applicants elect for further prosecution the invention of Group I (claims 1-16 drawn to compounds) with traverse. Applicants traverse the restriction requirement on grounds that the claimed process cannot be practiced with another material because the claims require the use of the materials of claims 1-16, and the Examiner has not shown that the compounds of claims 1-16 can be used in a materially different process as required under M.P.E.P. § 806.05(h). However, it is anticipated that Applicants' traversal of the restriction requirement may be moot in view of the Examiner's statement that "in the event the Group I is elected, and claims therein found allowable, the corresponding method-of-use claims will be rejoined for further examination."

Applicants : Lars E. Sundstrom et al.  
Appln. No. : 09/581,397  
Page : 2

In reply to the election of species requirement, Applicants elect the species of claim 8.  
Claims 1, 2, 5, 6 and 8 are believed to read on the elected species.

Respectfully submitted,

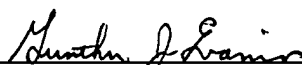
LARS E. SUNDSTROM ET AL.

By: Price, Heneveld, Cooper,  
DeWitt & Litton

RECEIVED

MAY 24 2001

May 14, 2001  
Date

  
Gunther J. Evanina  
Registration No. 35 502  
695 Kenmoor S.E.  
P.O. Box 2567  
Grand Rapids, Michigan 49501  
(616) 949-9610

TECH CENTER 1600/2900

GJE/daw